

UNITED STATES DISTRICT COURT
DISTRICT OF NORTH DAKOTA

United States of America,

Plaintiff,

vs.

Raymon Everett Holmberg, a/k/a Raymon
Holmberg, a/k/a Ray Holmberg, a/k/a Sean
Evan, a/k/a Sean Evans,

Defendant.

Case No. 3:23-cr-00206

**DEFENDANT'S SENTENCING
MEMORANDUM**

INTRODUCTION

Defendant, Raymon Everett Holmberg (“Mr. Holmberg”), pleaded guilty to the crime of Travel with Intent to Engage in Illicit Sexual Activity in violation of 18 U.S.C. § 2423(b) on August 8, 2024. A Sentencing Hearing is scheduled for March 26, 2025. Mr. Holmberg files this Sentencing Memorandum for the Court’s sentencing consideration.

GUIDELINE CALCULATION

I. Offense Level Calculation

The Government and Mr. Holmberg entered into a written plea agreement.¹ The Parties agreed, under U.S.S.G. § 2G1.3(a)(4), to a base offense level of 24.² The Presentence Investigation Report (“PSIR”) confirms this assessment.³

¹ See generally ECF No. 28 (“Plea Agreement”).

² *Id.* at ¶ 14.

³ ECF No. 52 (“Presentence Investigation Report”), ¶ 32.

At sentencing, the Government will recommend a downward adjustment of two levels for acceptance of responsibility, and will move for an additional one-level downward adjustment for Mr. Holmberg's timely notification of his intent to enter a guilty plea under U.S.S.G. § 3E1.1(b).⁴ The PSIR agrees with these adjustments.⁵

This results in a net offense level of **21**.⁶

II. Criminal History Calculation

The PSIR confirms that Mr. Holmberg has not incurred any prior criminal convictions or juvenile adjudications,⁷ resulting in zero criminal history points.⁸ Mr. Holmberg's complete lack of prior criminal history places him in Criminal History Category I.⁹ Mr. Holmberg agrees that use of **Criminal History Category I** is appropriate for this Court's determination of an appropriate sentence.

CONCLUSION

When determining Mr. Holmberg's base guideline range, Mr. Holmberg respectfully requests that this Court use **Criminal History Category I**, and offense level **21**, for a guideline

⁴ Plea Agreement, ¶ 16.

⁵ PSIR, ¶¶ 39-40.

⁶ *Id.* at ¶ 41.

⁷ See PSIR, ¶¶ 59-60.

⁸ See PSIR, ¶ 61.

⁹ *Id.* at ¶ 62; U.S.S.G. ch. 5A.

range of **37-46 months**,¹⁰ subject to the departures and variances requested in Mr. Holmberg's Sentencing Memorandum Supplement.

Dated this 19th day of March, 2025

VOGEL LAW FIRM

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¹⁰ See also PSIR, ¶ 80 (same).